

REMARKS

The Amendment

Claim 1 is amended to include the limitation of Claim 9. Claim 9 is canceled.

Claim 12 is amended to clarify the meaning of the claim.

No new matter is added in any of the above amendments. The amendments do not raise new issue, or require a new search. The Examiner is requested to enter the amendment and reconsider the application.

The Response

35 U.S.C. §112, Second Paragraph Rejections

Claim 2 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regards as the invention.

Applicant has amended Claim 12 to recite further comprising a subsequent step of activating the support surface prior to the attachment of biopolymers. Therefore, the meaning of Claim 12 is clear.

35 U.S.C. §102(a) Rejections

Claims 1-3, 8, 9, 11-13 and 20-21 are rejected under 35 U.S.C. §102(a) as allegedly being anticipated by Beier, et al., (Nucleic Acids Research, Vol. 27, Number 9). Claim 9 is canceled. The rejection of the remaining claims is traversed.

Beier, et al. was published in 1999, therefore, it is not a prior art against the present application, which has a priority date of November 18, 1998. To perfect the claim for foreign priority, Applicant is submitting herewith an English translation of the foreign priority application DE 198 53 242.3, together with the statement from the translator that the translation of the application is true and complete.

Therefore, the rejection of Claims 1-3, 8, 11-13 and 20-21 under 35 U.S.C. §102(a) should be withdrawn.

35 U.S.C. §102(b) Rejections

(a) Claims 1-3, and 11-12 are rejected under 35 U.S.C. §102(b) as being anticipated by Cahalan, *et al.*, (U.S. Patent No. 5,607,475). The rejection is overcome in view of the claim amendment.

Cahalan describes a method of derivatizing metal or glass surfaces of a biomedical article. The derivatizing procedure contains the following steps:

- (a) silanization with a vinylsilane
- (b) incorporation of the end terminal vinyl function via polymerization with acrylamide and acrylic acid in a polymer,
- (c) binding of a polyamine spacer onto the surface,
- (d) linking of a biomolecule to the polyamine spacer.

Cahalan does not teach reacting a second activating reagent with a component of the polyamine and repeating such step several times to produce a dendrimeric structure on the support surface. Cahalan does not describe and does not intend to build up a dendrimeric surface structure for binding molecules.

Therefore, the 35 U.S.C. §102(b) rejection of Claims 1-3, and 11-12 over Cahalan should be withdrawn.

(b) Claims 1-3, 11-12, and 20 are rejected under 35 U.S.C. §102(b) as being anticipated by Stolowitz, *et al.*, (U.S. Patent No. 4,837,348). The rejection is overcome in view of the claim amendment.

Stolowitz does not teach reacting an activated functional group with a polyamine, followed by reacting a second activating reagent with a component of the polyamine and repeating such step several times to produce a dendrimeric structure on the support surface. Stolowitz does not use a polyamine, which has multiple amino acid groups.

Therefore, the 35 U.S.C. §102(b) rejection of Claims 1-3, 11-12, and 20 over Stolowitz should be withdrawn.

CONCLUSION

Applicants believe that the application is in good and proper condition for allowance. Early notification of allowance is earnestly solicited. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned attorneys.

Respectfully submitted,

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Enclosure: English Translation of DE 198 53 242.3